



# THE GOVERNMENT GAZETTE.

## VANCOUVER ISLAND.

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[L. S.]

A. E. KENNEDY, GOVERNOR.

### PROCLAMATION,

By His Excellency Arthur Edward Kennedy, Esquire, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief, in and over the Colony of Vancouver Island, and its Dependencies, &c., &c., &c.

*Whereas*, the Parliament of the Colony of Vancouver Island and its Dependencies stands prorogued to Thursday, the Second day of November next: *And Whereas*, it is expedient that the said Parliament be further prorogued, now therefore I, the said Governor, by virtue of the authority in me vested by Her Majesty, do hereby proclaim and declare that the said Parliament shall be further prorogued to Thursday, the Sixteenth day of November next, and the said Parliament is hereby so further prorogued accordingly.

Given under my hand, and issued under the Public Seal of the said Colony, at Victoria, this 25th day of October, in the year of our Lord one thousand eight hundred and sixty-five, and in the twenty ninth year of Her Majesty's reign.

By His Excellency's command,  
WILLIAM A. G. YOUNG,  
Colonial Secretary.  
God save the Queen.

*Colonial Secretary's Office,  
21st October, 1865.*

Member RETURNED TO SERVE IN THE  
PRESENT Parliament.

District of Esquimalt and Metcho-  
sin, John Ash, Esquire, in the room  
of Robert Burnaby, Esquire, re-  
signed.

WILLIAM A. G. YOUNG,  
Colonial Secretary.

[L. S.]

AT THE COURT AT OSBORNE HOUSE,  
*Isle of Wight, the 7th day of August, 1865.*

PRESENT :

The Queen's Most Excellent Ma-  
jesty.

Lord Chancellor.  
Lord Chamberlain,  
Lord President,  
Mr. Milner Gibson.

Whereas, the Governor of Her Majesty's Island of Vancouver, with the Council and Assembly of the said Island did, in the month of December, 1862, pass an Act which has been transmitted, entitled as follows, viz. :

No. 68, "An Act to establish a Decimal System of Accounts in the Colony of Vancouver Island and its Dependencies."

And whereas the said Act has been laid before Her Majesty in Council, together with a letter to the Lord President of the Council, from the Right Honourable Edward Cardwell, one of Her Majesty's Principal Secretaries of State, recommending that the said Act should be left to its operation; Her Majesty was thereupon, this day, pleased by, and with the advice of Her Privy Council, to approve the said recommendation. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being of Her Majesty's Island of Vancouver, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

ARTHUR HELPS.

### LIQUOR LICENSES.

Notice is hereby given, that the next Quarterly instalment is due and



payable at the Treasury, on Saturday, the 21st instant.

By order of His Excellency the Governor,

ALEXANDER WATSON,  
Treasurer.

October 19th, 1865.

### TREASURY NOTICE.

Public notice is hereby given, that the Assessment on Real Estate in the District of Nanaimo, is now due, and payable into the Treasury, on or before Monday, the 20th November next, and that all payments after that date, will be charged five per cent. additional, in terms of the Act.

By order of His Excellency the Governor,

ALEXANDER WATSON,  
Treasurer.

Treasury, 21st October, 1865.

*Gold Commissioner's Office,  
Sooke, October 27, 1865.*

### NOTICE.

All Mining Claims are hereby laid over from the first of November, 1865, to the first of April, 1866.

GEORGE F. FOSTER,  
Gold Commissioner.

*Colonial Secretary's Office,  
October 26th, 1865.*

His Excellency the Governor has been pleased to appoint Robert C. Coleman, and Adam McIlvay, Esquires, to be Road Commissioners for the Comox District, and to fix Monday, the 6th day of November, proximo, as the day upon which the Road Commissioners for the Comox District shall hold their first meeting.

By His Excellency's command,

WILLIAM A. G. YOUNG,  
Colonial Secretary.

### AN ACT TO REMOVE DOUBTS RESPECTING THE VALIDITY OF CERTAIN MARRIAGES CONTRACTED IN HER MAJESTY'S POSSESSIONS ABROAD.

[29th June, 1865.]

Whereas Laws have from Time to Time been made by the Legislatures of divers of Her Majesty's Possessions abroad for the Purpose of establishing the Validity of certain Marriages previously contracted therein, but Doubts are entertained whether such Laws are in all respects effectual for the aforesaid Purpose beyond the Limits of such Possessions; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by authority of the same, as follows:

1. Every Law made or to be made by the Legislature of any such Possession as aforesaid, for the Purpose of establishing the Validity of any

Marriage or Marriages contracted in such Possession shall have, and be deemed to have had from the Date of the making of such Law, the same Force and Effect for the Purpose aforesaid within all Parts of Her Majesty's Dominions as such Law may have had, or may hereafter have within the Possession for which the same was made: Provided that nothing in this Law contained shall give any Effect or Validity to any Marriage unless at the Time of such Marriage both of the Parties thereto were, according to the Law of England, competent to contract the same.

2. In this Act the Word "Legislature" shall include any authority competent to make Laws for any of Her Majesty's Possessions abroad, except the Parliament of the United Kingdom and Her Majesty in Council.

### AN ACT TO REMOVE DOUBTS AS TO THE VALIDITY OF COLONIAL LAWS.

[29th June, 1865.]

Whereas Doubts have been entertained respecting the Validity of divers Laws enacted or purporting to have been enacted by the Legislatures of certain of Her Majesty's Colonies, and respecting the Powers of such Legislatures, and it is expedient that such Doubts should be removed:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Term "Colony" shall in this Act include all of Her Majesty's Possessions abroad in which there shall exist a Legislature, as hereinafter defined, except the Channel Islands, the *Isle of Man*, and such Territories as may for the Time being be vested in Her Majesty under or by virtue of any Act of Parliament for the Government of *India*:

The terms "Legislature" and "Colonial Legislature" shall severally signify the Authority, other than the Imperial Parliament or Her Majesty in Council, competent to make Laws for any Colony:

The Term "Representative Legislature" shall signify any Colonial Legislature which shall comprise a Legislative Body of which One Half are elected by Inhabitants of the Colony:

The Term "Colonial Law" shall include Laws made for any Colony



either by such Legislature as aforesaid, or by Her Majesty in Council ;

An Act of Parliament, or any Provision thereof, shall, in construing this Act, be said to extend to any Colony when it is made applicable to such Colony by the express Words or necessary Intendment of any Act of Parliament ;

The Term "Governor" shall mean the Officer lawfully administering the Government of any Colony ;

The Term "Letters Patent" shall mean Letters Patent under the Great Seal of the United Kingdom of *Great Britain and Ireland*.

2. Any Colonial Law which is or shall be in any respect repugnant to the Provisions of any Act of Parliament extending to the Colony to which such Law may relate, or repugnant to any Order or Regulation made under Authority of such Act of Parliament, or having in the Colony the Force and Effect of such Act, shall be read subject to such Act, Order, or Regulation, and shall, to the Extent of such Repugnancy, but not otherwise, be and remain absolutely void and inoperative.

3. No Colonial Law shall be or be deemed to have been void or inoperative on the Ground of Repugnancy to the Law of *England*, unless the same shall be repugnant to the Provisions of some such Act of Parliament, Order or Regulation as aforesaid.

4. No Colonial Law, passed with the Concurrence of or assented to by the Governor of any Colony, or to be hereafter so passed or assented to, shall be or be deemed to have been void or inoperative by reason only of any Instructions with reference to such Law or the Subject thereof which may have been given to such Governor by or on behalf of Her Majesty, by any Instrument other than the Letters Patent or Instrument authorising such Governor to concur in passing or to assent to Laws for the Peace, Order, and good Government of such Colony, even though such Instructions may be referred to in such Letters Patent or last-mentioned Instrument.

5. Every Colonial Legislature shall have, and be deemed at all Times to have had, full Power within its Jurisdiction to establish Courts of Judicature, and to abolish and reconstitute the same, and to alter the Constitution thereof, and to make Provision for the administration of Justice therein ; and every Representative Legislature shall, in respect to the Colony under its Jurisdiction,

have, and be deemed at all times to have had, full Power to make Laws respecting the Constitution, Powers, and Procedure of such Legislature ; provided that such Laws shall have been passed in such Manner and Form as may from Time to Time be required by any Act of Parliament, Letters Patent, Order in Council, or Colonial Law for the Time being in force in the said Colony.

6. The Certificate of the Clerk or other proper Officer of a Legislative Body in any Colony to the Effect that the Document to which it is attached is a true Copy of any Colonial Law assented to by the Governor of such Colony, or of any Bill reserved for the Signification of Her Majesty's Pleasure by the said Governor, shall be *prima facie* Evidence that the Document so certified is a true Copy of such Law or Bill, and, as the Case may be, that such Law has been duly and properly passed and assented to, or that such Bill has been duly and properly passed and presented to the Governor ; and any Proclamation purporting to be published by Authority of the Governor in any Newspaper in the Colony to which such Law or Bill shall relate, and signifying Her Majesty's Disallowance of any such Colonial Law, or Her Majesty's Assent to any such reserved Bill as aforesaid, shall be *prima facie* Evidence of such Disallowance or Assent.

And whereas Doubts are entertained respecting the Validity of certain Acts enacted or reputed to be enacted by the Legislature of *South Australia* : Be it further enacted as follows :

7. All Laws or reputed Laws enacted or purporting to have been enacted by the said Legislature, or by Persons or Bodies of Persons for the Time being acting as such Legislature, which have received the Assent of Her Majesty in Council, or which have received the Assent of the Governor of the said Colony in the Name and on behalf of Her Majesty, shall be and be deemed to have been valid and effectual from the Date of such Assent for all Purposes whatever ; provided that nothing herein contained shall be deemed to give Effect to any Law or reputed Law which has been disallowed by Her Majesty, or has expired or has been lawfully repealed, or to prevent the lawful Disallowance or Repeal of any Law.



SUPREME COURT OF CIVIL JUSTICE OF  
VANCOUVER ISLAND.

NOTICE.

Notice is hereby given that the Chief Justice will sit on the following days to hear Summary Cases, viz., October 30th, November 13th, and November 27th.

All plaints must be entered at the Office of the Registrar at least nine clear days before the day of hearing.

By order of the Chief Justice,

RICHARD WOODS,

Acting Registrar.

Registrar's Office,  
Victoria, October 30, 1865.

Assessor's Office,  
16th October, 1865.

Notice is hereby given that copies of the Real Estate Revised Assessment Roll for Victoria City, for the year commencing the 1st July, 1864, and ending the 30th June, 1865, have been posted up at the following places :

- 1 Post Office,
- 2 Sheriff's Office,
- 3 Land Office.

CHARLES G. WYLLY,  
Assessor.

TREASURY NOTICE.

In pursuance of Section V. of "the Victoria City Half Per Cent. Tax Act, 1865," public notice is hereby given that the Tax for Municipal purposes, of One Half of One Per Centum on all real Estate within the City of Victoria, is now due and payable into the Treasury, on or before the 8th November next.

By order of His Excellency the Governor.

ALEXANDER WATSON,  
Treasurer.

Treasury, 9th October, 1865.

TREASURY NOTICE.

Notice is hereby given, that the Real Estate Assessment of One Per Cent. on all real estate within the City of Victoria, for the year ending 30th June, 1865, is now due and payable into the Treasury, on or before the 8th November next, and that all payments after that date will be charged Five Per Cent. additional, on terms of the "Real Estate Tax Amendment Act, 1862."

By order of his His Excellency the Governor.

ALEXANDER WATSON,  
Treasurer.

Treasury, 9th October, 1865.

Colonial Secretary's Office,  
24th October, 1865.

His Excellency the Governor directs the publication, for general information, of the following list of unclaimed letters.

By His Excellency's command,

WILLIAM A G YOUNG,

Colonial Secretary.

LIST OF UNCLAIMED LETTERS REMAINING  
IN THE POST OFFICE FROM 16TH  
TO 28TH OCTOBER, 1865.

Anderson, A	Allison, E
Anderson, Capt J	Allan, D
Aynsley, F	Anderson, G
Bendixon, L A	Balmain, C
Bewley, J	Baxter, W
Begg, J	Beatty, Miss E, 2
Barnes, J S	Bulfinch, J or T
Burke, E F	Beline, Miss S 3
Borthwick, R	Bunney, J
Byrnes, J	Butler, S J
Black, J	Ballantine, D L
Coffin, L A	Cattran, G
Clark, J	Charity, C 2
Carter, T	Corb niere, M
Caffery, T	Clifford, Capt S
Clay, L A	Crate, W
Casamayou, A	Cohen, H M
Claridge, R J	Campbell, J
Cantier, H S	Charley, J
Dennes, Mr	Dandridge, J
Doyle, M	Davies, J
Davison, W	Douglas, J
Devere, H N	DeNouvain, F
Davis, Capt S	Dibblee, F
Dodd, W Y	Drabble, W
Dunlop, S	Dechante, C
Dunoon, D	
Ereque, M F	Evans & Co
Fyre, Mrs E	Everard, L
Evans, Mrs B	Engelish, J
Edwards, B	Eden, J
Foster, W	Fisher, T
Fowler, N 2	Field, W
Fabian, M	Fitzgerald, G
Fielding, J S	Flett, J
GreenBann, J	Gilbart, J
Gartrell, H	Guegan, P
Gill, A	Gillilan, J
Gowing, C	Gossett, J
Harrington, J	Hall, W
Harrison, W	Hoerchner, C
Hermanos, S B	Haire, W H
Hicks, Mrs 2	Hurley, Mrs
Hunter, Joseph 2	Harris, A M
Harmischfeger, J 3	Haughenvaugh, J C
Hickin, G	Houghton, F
Harding, Capt T	Hathaway, O
Isaac, W	Irvine, J C
Jeffrey, W	Jenner, M
Jenkin, J E	Johnson, W C
Jaques, J or G	Jones, C
Jenner, D	Jones, W
Joyce, J	Jeffrys, Mrs
Joze, S J	Jenkins, W H
Jones, P	

King, W C  
Kellog, O E  
Kurtz, D  
Keen, W H  
Knott, D

Lachapelle, J  
Layzell, R  
Littlejohns, W R  
Leon, M  
Lang, J  
Lyall, A

Murphey, P  
McLennan, R G  
McWhinie, W  
McKinnon, A  
McKinnon, D  
McNaughton, A 2  
McKee, S  
Marshall, Mrs A  
McDonald, J N 2  
Murray, J  
Marwick, J  
Newton, H G  
Norbury, S  
Ovens, D 3

Piaggio, G  
Parsons; W H

Kelly, F 2  
Keohan, W W  
Kern, H  
Kendal, G

Lewis, J  
Lamkin, S M  
Lensk, J  
Laumeister, F  
Leckie, J L

McBride, J  
McNamara, P  
Mahson; W  
Messerean, R  
McFarlane, D F  
McGrath, O  
Milby, N  
McFarland, G F  
McMullen, J  
Moses, D  
Muntz, P M  
Nicholson,  
Naismith, J

Pelkey, H  
Pearcey; S

Perpeno, M  
Peat, H & A  
Petherick, G

Reece, Revd  
Rowland, M  
Randall, H  
Richardson, R B  
Roberts, R

Smith, J  
Stone, J  
Stemmler & Co  
Smith, W  
Smith, A  
Smith, C  
Smith; A J

Taylor, J G  
Towas, C

Vaughan, W

Waddington, A  
Weekes, T J  
Walls, W  
Wren, C  
Ward, W 2  
Welcker, W T

Payn, L  
Philbrook, N

Reynolds, O  
Richardson, A G  
Richot, J  
Richardson, G  
Rosman, E J

Stewart, J 2  
Shepherd, F  
Sloman, B 2  
Shapard, L J  
Scott, F  
Swinarton, T  
Sevenaus, A C  
Titus, M M

Wright, J H  
Webb, J  
Widdowson, F  
Warne, H H  
Willis, J S

HENRY WOOTTON,  
Postmaster.



